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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION NO.		
09/930,795	08/16/2001	Michael J. Bonnette	POSSIS 4022		
7590 12/08/2003			EXAMINER		
Hugh D. Jaeger			RODRIGUEZ, CRIS LOIREN		
Suite 302 1000 Superior Blvd.			ART UNIT	PAPER NUMBER	
Wayzata, MN 55391-1873			3763		

DATE MAILED: 12/08/2003

1)

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application I	Applicant(s)					
Office Assistant Community	09/930,795			A L.			
Office Action Summary	Examiner		Art Unit				
	Cris L. Rodri		3763	L/W			
The MAILING DATE of this communication appearing for Reply	pears on the co	ver sheet with the c	correspondence a	ddress			
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b). Status	136(a). In no event, loly within the statutory will apply and will exe, cause the applicati	however, may a reply be tin minimum of thirty (30) day pire SIX (6) MONTHS from on to become ABANDONE	nely filed s will be considered time the mailing date of this D (35 U.S.C. § 133).	ely. communication.			
1) Responsive to communication(s) filed on 22 S	September 200	<u>3</u> .		r			
2a)⊠ This action is FINAL . 2b)☐ This	action is non-	īnal.					
3) Since this application is in condition for allowated closed in accordance with the practice under a secondary condition.	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
I)⊠ Claim(s) <u>21,46-48,50-54 and 57-73</u> is/are pending in the application.							
4a) Of the above claim(s) 50,51,57,69 and 70	4a) Of the above claim(s) $50,51,57,69$ and 70 is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.	Claim(s) is/are allowed.						
, —							
,— ,,——							
8) Claim(s) are subject to restriction and/o	or election requ	iirement.					
Application Papers							
9) ☐ The specification is objected to by the Examin							
10)☐ The drawing(s) filed on is/are: a)☐ acc							
Applicant may not request that any objection to the				NED 4 404(-1)			
Replacement drawing sheet(s) including the correct							
11) The oath or declaration is objected to by the E	xammer. Note	the attached Office	ACTON OF TOTAL	10-132.			
Priority under 35 U.S.C. §§ 119 and 120		051100 5440/-	.) (4) (6)				
12) Acknowledgment is made of a claim for foreignal All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Bureat * See the attached detailed Office action for a list 13) Acknowledgment is made of a claim for domest since a specific reference was included in the first 37 CFR 1.78. a) The translation of the foreign language profile 14) Acknowledgment is made of a claim for domest reference was included in the first sentence of the second	nts have been rority documents au (PCT Rule 1 to f the certified tic priority underst sentence of the priority underst sentence of the priority underst sentence of the priority underst priority under the	eceived. eceived in Applications have been received 7.2(a)). d copies not received 35 U.S.C. § 119(a) the specification of the same at 35 U.S.C. §§ 120	ion No ed in this National ed. e) (to a provisional r in an Application ceived. and/or 121 since	al application) n Data Sheet. e a specific			
Attachment(s) 1) \[\sum \] Notice of References Cited (PTO-892)	AN	Interview Summary	(PTO-413) Paner No	n(s)			
 1) Notice of References Cited (PTO-692) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 	•	Notice of Informal F					

Art Unit: 3763

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21, 46-48, 52-54, 58-68, and 71-73 are rejected under 35 U.S.C. 102(b) as being anticipated by Drasler et al (WO 94/10917).

Drasler discloses the invention as claimed. See figures 1, 9, and 14.

Response to Arguments

3. Applicant's arguments filed September 22, 2003 have been fully considered but they are not persuasive.

In response to applicant's arguments, applicant's arguments are narrower than the claims. The claims do not have enough structural language to overcome the prior art of rejection. Applicant is reminded that the figures elected by applicant were figures 9-11. The elements read in Figure 9 and 14 of Drasler (WO) as follows: the inflow orifice is 210, the outflow orifice is at 226, the first tube is 214, and the second tube is 202,208.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cris L. Rodriguez whose telephone number is (703)

308-2194. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Brian Casler can be reached on (703) 308-3552. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 308-

0858.

December 1, 2003

Cris L. Rodriguez

Examiner

Art Unit 3763

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